

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

IN RE:

CASE NO.: 15-bk-01776

CATHYORN E. TELFAIR,
Debtor.

CHAPTER 13 PLAN

1. The future earnings or income of the Debtor are submitted to the supervision and control of the Trustee.
2. The total of **\$231.49** per month for month one (1) through sixty (60) shall be submitted to the control of the Trustee for administration on behalf of creditors filing allowed claims, for a duration of sixty (60) months, i.e. the "life of the plan", or, alternatively, until all such claims are paid in full.
3. The Trustee shall make the following disbursements from the payments so received:

A. PRIORITY CLAIMS

- (1) The fees and expenses of the Trustee shall be paid over the life of the plan at the rate of ten percent (10%) of the amount of all payments remitted under the plan.
- (2) **Robert W. Elrod P.A.** has a priority claim in the amount of \$2,500.00. The Trustee shall make payments of **\$208.34** per month, from payments 1 through 12, in order to satisfy this obligation.

B. SECURED CLAIMS

- (1) **CenterState Bank** has the first mortgage on the Debtor's real property located at 9511 Wagner Road, Jacksonville, FL 32219. The Debtor shall surrender this property to this creditor in order to satisfy in full this obligation.
- (2) **Michael Corrigan, Tax Collector** has a security interest in the Debtor's real property located at 9511 Wagner Road, Jacksonville, FL 32219 for unpaid property taxes. The Debtor shall surrender this property to this creditor in order to satisfy in full this obligation.
- (3) **Bank of New York as Trustee for CWABS 2005-AB5 c/o Shellpoint Mortgage Services** has the first mortgage on the Debtor's rental property located at 2173 West 13th Street, Jacksonville, FL 32209. The Debtor shall surrender this property to this creditor in order to satisfy in full this obligation.
- (4) **CenterState Bank** has the first mortgage on the Debtor's real property located at 3128 Montcalm Drive, Jacksonville, FL 32208. The Debtor is current with her

payments to this creditor and shall continue to make the regular monthly payment directly to the creditor outside of the Plan.

- (5) **Wells Fargo** has the second mortgage on the Debtor's rental property located at 3128 Montcalm Drive, Jacksonville, FL 32208. The Debtor is current with her payments to this creditor and shall continue to make the regular monthly payment directly to the creditor outside of the Plan.
- (6) All secured creditors will retain their liens, pursuant to 11 U.S.C. 1325(a)(B)(i).

C. UNSECURED CLAIMS

- (1) Unsecured creditors, including those secured creditors having deficiency claims or whose liens have been avoided, shall receive distribution on a pro-rata basis. The Trustee shall distribute **\$0.00** per month for months 1 through 12 and **\$208.34** per month for months 13 through 60 to those unsecured creditors whose claims are timely filed and allowed.
- (2) Any claim filed after the last date to file claims, shall receive no distribution under this plan unless specifically provided for above.

D. GENERAL PROVISIONS

- (1) The Debtor does not reject any executory contracts.
- (2) Title to all property in the estate shall re-vest in the Debtor upon confirmation of this plan.
- (3) Except as provided for in the plan, the order confirming the plan or other court order, no interest, late charges, penalties or attorneys' fees will be paid to or accessible by any creditor. 11 U.S.C. Section 1327(a) provides: "The provisions of a confirmed plan bind the debtor and each creditor, whether or not the claim of such creditor is provided for by the plan, and whether or not such creditor has objected to, has accepted, or has rejected the plan."
- (4) Once the Debtor successfully completes the Chapter 13 plan and a discharge is entered by the Court, NO CREDITOR WILL BE ALLOWED TO ADD LATE CHARGES, PENALTIES, INTEREST OR ATTORNEYS' FEES FROM THE BEGINNING OF TIME THROUGH THE DATE OF DISCHARGE.

DATED: April 21, 2015

/s/ Robert W. Elrod, Jr.
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